

REMARKS

Claims 1, 3, 6, and 12-24 are pending in the current application. Claims 1, 6, 12-16, 23 and 24 are currently amended.

Examiner Interview Summary

Applicants note with appreciation that on December 11, 2009 the Examiner participated in a telephonic interview with Applicants' Representative. Proposed amendments to the claims provided to the Examiner before the interview were discussed. The Examiner indicated during the interview that the proposed amendments would likely overcome the current §102 rejections. The Examiner also proposed additional amendments to the claims to further distinguish the claims from the cited art.

Claim Rejections – 35 U.S.C. § 102

Claims 1, 6, 12, 13, 16-20, 23 and 24 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Senoh (US 2003/0007780, hereinafter "Senoh"). Applicants respectfully traverse this rejection.

Applicants respectfully submit claim 1 has been amended and now recites: "an information file including a first playback indicator for managing an automatic playback of **the optical disc** when the optical disc is inserted into the optical disc reproducing device, the first playback indicator identifying a segment for execution at the automatic playback of the optical disc". Applicants respectfully submit Senoh fails to teach information relating to an optical disc. Specifically, paragraph [0024] of Senoh specifically excludes "driven recording media (such as disks and tape)". Accordingly, Applicants respectfully submit Senoh cannot teach "an information file including a first playback indicator for managing an automatic playback of **the**

optical disc when the optical disc is inserted into the optical disc reproducing device” as claim 1 recites. Consequently, Senoh clearly fails to teach each of the elements of amended claim 1, or any claims depending from claim 1, as is required to support a rejection under §102.

Further, even if, *for the sake of argument*, Senoh can be interpreted as teaching an optical disc, which Applicants specifically refute above, Senoh fails to teach any element corresponding to “**a first playback indicator** for managing an automatic playback of the optical disc **when the optical disc is inserted into the optical disc reproducing device**, the first playback indicator identifying a segment for execution at the automatic playback of the optical disc”. Consequently, for at least the reasons discussed above, Senoh clearly fails to teach each of the elements of amended claim 1, or any claims depending from claim 1, as is required to support a rejection under §102.

Further, claims 12-13 have been amended and include limitations similar to those discussed above with respect to claim 1. Consequently, at least by virtue of their similarity to claim 1, Senoh fails to teach each of the elements of any of claims 12-13, or any claims depending from claims 12-13, as is required to support a rejection under §102.

Therefore, Applicants respectfully request the rejection of claims 1, 6, 12, 13, 16-20, 23 and 24 under 35 U.S.C. §102 be withdrawn.

Claim Rejections – 35 U.S.C. § 103

Claims 14, 15, 21, 22 and 29-32 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Senoh in view of Tiara et al. (US 6,009,234, hereinafter “Tiara”). Applicants respectfully traverse this rejection.

Claim 14 has been amended and now recites: “a controller operably coupled to the pickup to control the pickup to record an information file on the optical disc, the information file including a first playback indicator for managing an automatic playback of the optical disc when the optical disc is inserted into an optical disc reproducing device”. Applicants respectfully submit, as is discussed above with respect to claim 1, Senoh clearly fails to teach “a first playback indicator for managing an automatic playback of ***the optical disc when the optical disc is inserted into an optical disc reproducing device***”, as claim 14 recites, at least because Senoh specifically excludes optical disks, and Senoh fails to teach any type of indicator related to insertion of an optical disc. Tiara fails to remedy these deficiencies. Accordingly, neither Senoh, nor Tiara, alone or in combination, teach each of the limitations of claim 14. Consequently, a *prima facie* case of obviousness has not been established with respect to amended claim 14, or any claims depending from claim 14, as is required to support a rejection under §103.

Further, claim 15 has been amended and contains limitations similar to those of claim 14 discussed above. Consequently, at least by virtue of the similarities between claims 15 and claim 14, a *prima facie* case of obviousness has not been established with respect to amended claim 15, or any claims depending from claim 15, as is required to support a rejection under §103.

Therefore, Applicants respectfully request the rejection of claims 14, 15, 21, 22 and 29-32 stand under 35 U.S.C. § 103 be withdrawn.

CONCLUSION

Accordingly, in view of the above amendments and remarks, reconsideration of the objections and rejections and allowance of each of claims in connection with the present application is earnestly solicited.

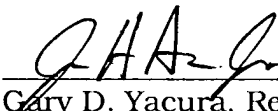
Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Gary D. Yacura at the telephone number of the undersigned below.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 08-0750 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. §1.17; particularly, extension of time fees.

Respectfully submitted,

HARNES, DICKEY, & PIERCE, P.L.C.

By

 Reg. No. 64,371
for Gary D. Yacura, Reg. No. 35,416

P.O. Box 8910
Reston, Virginia 20195
(703) 668-8000

GDY/JHA: tlt